

LLB  
SECOND SEMESTER  
SPECIAL CONTRACT  
LLB - 202  
(USE OMR FOR OBJECTIVE PART)



Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

( Objective )

Marks: 20

*Choose the correct answer from the following:*

*1×20=20*

1. The contract of guarantee is a contract in which a person perform the promise or discharge the liability of-
  - a. The contractor
  - b. Stranger
  - c. Third person
  - d. None of the above
2. The person who during the contract of bailment delivers goods is called-
  - a. Bailor
  - b. Bailee
  - c. Both (a) and (b)
  - d. None of the above
3. As per section 185 of the Contract Act, 1872 consideration is-
  - a. Necessary to create agency
  - b. Not necessary to create agency
  - c. Depends upon type of agency
  - d. None of above
4. The term "Pledge" means-
  - a. A thing which is given as security
  - b. A thing which is sold out
  - c. Both (a) and (b)
  - d. None of above
5. A hires a carriage of B. The carriage is unsafe though B is not aware of it and A is injured.
  - a. B is responsible to A for the injury
  - b. B is not responsible to A for the injury
  - c. No one is responsible to each other
  - d. None of above
6. Section\_\_\_\_\_ of the Contract Act defined sub-agent-
  - a. 191
  - b. 192
  - c. 193
  - d. None of the above
7. In Bailment, bailor is duty bound to disclose fault in goods bailed as provided in section-
  - a. 148, of the Contract Act
  - b. 149, of the Contract Act
  - c. 150, of the Contract Act
  - d. None of above
8. An unsound person cannot become-
  - a. An agent
  - b. Principal
  - c. Both (a) and (b)
  - d. None of above

9. The Sale of Goods Act, was enforced on-
- a. 1st day of May, 1930
  - b. 1st day of June, 1930
  - c. 1st day of July, 1930
  - d. None of above
10. The term 'partnership' has been defined under-
- a. section 3
  - b. section 4
  - c. section 5
  - d. section 6
11. Which of the following is not a right of surety-
- a. Rights of Subrogation
  - b. Rights of Indemnity
  - c. Rights of interest on debt
  - d. Right to be indemnified by principal debtor
12. A partnership at will means-
- a. Partnership can be dissolved at the will of even a single person
  - b. Partnership cannot be dissolved
  - c. Partnership can be dissolved with an agreement of all the partners
  - d. None of the above
13. Which of the following is not the duty of bailee-
- a. Duty to return
  - b. Duty to set up "jus tertii"
  - c. Duty to return increase
  - d. Duty to return increase
14. The person who gives indemnity is called-
- a. Indemnity Holder
  - b. Indemnifier
  - c. Indemnified
  - d. Surety
15. Which of the following is not correct-
- a. A pledge by mercantile agent is not a valid pledge
  - b. A pledge by person in possession of goods under voidable contract is a valid pledge
  - c. A pledge by pledge is valid pledge
  - d. A pawnee can exercise special property in the goods pledged
16. Which of the following is not an essential of a sale as per the Sale of Goods Act, 1930-
- a. Agreement
  - b. Price
  - c. Time of payment of price
  - d. Goods
17. A partnership firm is-
- a. a distinct legal entity from its partners
  - b. not a distinct legal entity from its partners
  - c. a juristic person
  - d. either (a) or (c)
18. Which of the following is not a duty of agent-
- a. Duty to delegate
  - b. Duty to avoid conflict of interest
  - c. Duty to follow customs
  - d. Duty to follow customs

19. Which one of the following is not correct-
- a. Buyer shall apply for the delivery of the goods
  - b. Seller shall give delivery of the goods at buyers place at the cost and risk of the seller
  - c. Conditions are the stipulation in breach of which buyer has right to terminate the contract
  - d. Warranties are the stipulation in breach of which buyer has no right to terminate the contract
20. Which one of the following is not a condition of guarantee-
- a. Principal Debt
  - b. Consideration
  - c. Interest on debt
  - d. Three parties to the contract

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**(Descriptive)**

Time : 2 hrs. 30 min.

Marks : 50

*[ Answer question no.1 & any four (4) from the rest ]*

1. What are the key elements and of a contract of guarantee? Under what circumstances can a guarantor be discharged from their obligations under a contract of guarantee? 5+5=10
2. Analyze the circumstances in which a contract of indemnity may arise, such as contracts of insurance, suretyship, and contracts for professional services. 10
3. Discuss the essential elements of a contract of bailment and explain the rights and duties of both the bailor and bailee. 10
4. Examine the concept of the contract of agency in commercial transactions, outlining its essential elements and the legal relationship between the principal and the agent. 10
5. Analyze the essential elements required to establish a valid partnership, including the existence of a lawful business, mutual agreement, sharing of profits and losses, and the intention to carry on business together. 10
6. What do you mean by partnership? What are the essentials of a partnership? 3+7=10
7. Discuss the essential elements required for a valid contract of sale, including the definition of goods, the capacity to buy and sell, the existence of an agreement, and the passing of ownership. 10
8. Explore the rights of unpaid seller. 10

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